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THE FACEBOOK, INC. and MARK ZUCKERBERG

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

IT IS SO ORDERED AS MODIFIED

Judge James Ware

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

THE FACEBOOK, INC. and MARK ZUCKERBERG,

Plaintiffs,

v.

CONNECTU, INC. (formerly known as CONNECTU, LLC), PACIFIC NORTHWEST SOFTWARE, INC., WINSTON WILLIAMS, and WAYNE CHANG,

Defendants.

Case No. 5:07-CV-01389-JW

STIPULATION AND ~~[PROPOSED]~~ ORDER ENLARGING TIME TO FILE A JOINT PROPOSED ORDER RE SEALING; AND

ORDER GRANTING IN PART DENYING IN PART MOTIONS POSTED AS DOCKET ITEM NOS. 366, 374 AND 393

This Stipulation is entered into by and among Plaintiffs Facebook, Inc., and Mark E. Zuckerberg and Defendant ConnectU, Inc., through its respective attorneys of record.

WHEREAS, on May 27, 2008, the Court issued an order requesting that the parties submit, by June 9, a Joint Proposed Order regarding "all sealing motions that are pending as of the date of the Jointed Proposed Order is filed";

Dockets.Justia.com

WHEREAS, Plaintiffs Facebook, Inc. and Mark E. Zuckerberg will be filing their Reply Memorandum and supporting documents in support of their Confidential Motion (Docket No. 329) under seal today;

WHEREAS, the parties believe that an extension of time to file the Joint Proposed Order, until tomorrow, June 10, is necessary in order to include Plaintiffs' June 9 filing;

IT IS HEREBY STIPULATED AND AGREED THAT the parties' Joint Proposed Order Re: Sealing is due on June 10, 2008.

Dated: June 9, 2008

ORRICK, HERRINGTON & SUTCLIFFE LLP

/s/
Theresa A. Sutton
Attorneys for Plaintiffs
THE FACEBOOK, INC. and MARK ZUCKERBERG

Dated: June 9, 2008

BOIES SCHILLER & FLEXNER LLP

/s/
Evan Parke
Attorneys for Defendant
CONNECTU, INC.

***** ORDER *****

For good cause shown, the Court GRANTS the parties' Stipulation regarding the filing of the Joint Proposed Order Re: Sealing motions. In addition, the Court addresses the following outstanding motions in advance of the **June 23, 2008** hearing on Plaintiffs' Confidential Motion:

(1) Plaintiffs' Motion for Leave to File Rely and Motion to Strike is DENIED. (Docket Item No. 366).

(2) Defendants' Motion to Shorten Time for Hearing, and Motion to Expedite Discovery is DENIED. (Docket Item No. 374.)

(3) Motion to Seal the Request for Reschedule Hearing on Plaintiffs' Confidential Motion is GRANTED to the extent that it seeks to SEAL the request, DENIED to the extent it seeks to continue the hearing. (Docket Item No. 393.)

There have been voluminous filings in this case in just the last month, which have required extensive judicial resources to manage. The parties are strongly encouraged to work in a collaborative manner to conserve judicial resources.

Dated: June 10, 2008

James Ware
JAMES WARE
United States District Judge